

United States District Court
STATE AND DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

Case Number:

V.

12-mj-430 FLN

MIGUEL ANGEL RENTERIA-GARCIA,
also known as Rodolfo Amescua-Flores

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about July 5, 2012, in Steele County, in the State and District of Minnesota, the defendant, an alien, who had previously been removed from the United States on or about May 6, 1996, and October 21, 2004, subsequent to convictions for aggravated felonies, did knowingly and unlawfully reenter and was found in the United States without having obtained the consent of the Attorney General or his successor, the Secretary of Homeland Security, to re-apply for admission to the United States,

in violation of Title 8 U.S.C. §§ 1326(a) and 1326(b)(2), and 6 U.S.C. §§ 202 and 557 .

I further state that I am a Special Agent with HSI and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

Sworn to before me, and subscribed in my presence,

Date

Franklin L. Noel

United States Magistrate Judge

Name & Title of Judicial Officer

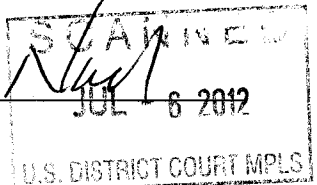
Signature of Complainant

Special Agent Jonathan D. Minnich, HSI

Minneapolis, Minnesota

City and State

Signature of Judicial Officer



STATE OF MINNESOTA)
) AFFIDAVIT OF JONATHAN D. MINNICH
COUNTY OF HENNEPIN)

I, Jonathan D. Minnich, being duly sworn, depose and state as follows:

1. I am a Special Agent with Homeland Security Investigations ("HSI") assigned to the Narcotics and Gang Investigations Group, Office of the Special Agent in Charge, Saint Paul, Minnesota. I have been a federal law enforcement officer since 2006. Prior to that, I was a Special Agent with the United States Air Force, Office of Special Investigations, from 1999 to 2003. In my current assignment, I investigate federal drug trafficking, money laundering and immigration violations. I have received specialized training in investigations concerning drug trafficking, money laundering, undercover operations and electronic and physical surveillance. I have been involved in numerous investigations dealing with the possession, manufacture, distribution, and importation of controlled substances. I am also qualified by my experience and training to conduct criminal investigations concerning the immigration laws of the United States.

2. This affidavit is submitted in support of a criminal complaint and arrest warrant charging Miguel Angel Renteria-Garcia, also known as Rodolfo Amescua-Flores, with unlawful reentry after removal, subsequent to convictions for aggravated felonies, in violation of 8 U.S.C. §§ 1326(a) and 1326(b)(2), and 6 U.S.C. §§ 202 and 557.

3. The facts and information contained in this affidavit are based upon my personal knowledge and the investigation and observations of other officers and agents involved in the investigation. All observations referenced below that were not personally made by me were related to me by the persons who made such observations. This affidavit contains information necessary to support probable cause for this application. It is not intended to include each and every fact and matter observed by me or known to the government.

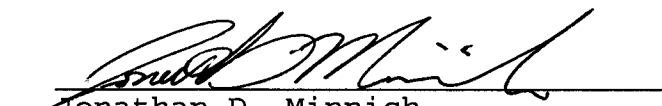
4. On July 5, 2012, Miguel Angel Renteria-Garcia ("Renteria"), also known as Rodolfo Amescua-Flores, was stopped by Minnesota Highway Patrol officers near Owatonna, Minnesota. He admitted that he was in the United States illegally. Later that day, I interviewed Renteria. He told me he was in the United States illegally, had been deported multiple times to Mexico, and that he had been incarcerated in California for drug offenses. He also admitted that he had not requested or obtained permission from the Attorney General or the Secretary of Homeland Security for re-entry after deportation. Upon being booked into the jail, Renteria was fingerprinted. His fingerprints matched those pertaining to FBI number 459014PA5, corresponding to a Rodolfo Amescua-Flores, with alien registration number A074 222 136.

5. I have reviewed the immigration file pertaining to Rodolfo Amescua-Flores, alien registration number A074 222 136. Through


photographs and other identifying information, I have concluded that Renteria and Rodolfo Amescua-Flores are the same person. The file reflects the following: Renteria is a native of Mexico and a citizen of Mexico; he is not a citizen, permanent resident, or national of the United States; he first entered the United States illegally in or about October 1994 near the Port of Entry in San Ysidro, California, and did so without having been inspected by an immigration officer; Renteria was convicted on May 22, 1995, in the Superior Court of California, County of Los Angeles, Branch East, for "Possession for Sale Cocaine," an "aggravated felony" under Section 101(a)(43) of the Immigration and Naturalization Act, and sentenced to imprisonment for two years; Renteria was ordered removed from the United States on April 16, 1996, under Section 241(a)(2)(A)(iii) of the Immigration and Naturalization Act; he was removed on May 6, 1996; Renteria was convicted on September 12, 2002, in the Superior Court of California, County of Los Angeles, Branch East-Pomona South, for the offense of "Possession for Sale Cocaine," an "aggravated felony" under Section 101(a)(43) of the Immigration and Naturalization Act, and sentenced to imprisonment for four years; Renteria signed a Form I-294 on September 22, 2004, using the alias Rodolfo Amescua-Flores, in which he acknowledged that he was prohibited from entering, attempting to enter, or being in the United States at any time because he was convicted of a crime designated as an aggravated felony; Renteria was again

removed from the United States on October 21, 2004, pursuant to the order of removal dated April 16, 1996. A check of immigration indices and a review of immigration records revealed no record of Renteria or Rodolfo Amescua-Flores having requested or obtained permission from the Attorney General or the Secretary of Homeland Security for re-entry after deportation.

6. Based on the foregoing, there is probable cause to believe that on or about July 5, 2012, Miguel Angel Renteria-Garcia, also known as Rodolfo Amescua-Flores, an alien, who had previously been removed from the United States on or about May 6, 1996, and October 21, 2004, subsequent to convictions for aggravated felonies, did knowingly and unlawfully reenter and was found in the United States without having obtained the consent of the Attorney General or his successor, the Secretary of Homeland Security, to re-apply for admission to the United States, in violation of 8 U.S.C. §§ 1326(a) and 1326(b)(2) and 6 U.S.C. §§ 202 and 557.


Jonathan D. Minnich
Special Agent, HSI

Sworn th and subscribed to before me
this 6 day of July, 2012.


Franklin L. Noel
United States Magistrate Judge